



TOWN OF TYNGSBOROUGH

Office of the Selectmen

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Selectmen's Meeting Minutes

APPROVED

Monday May 18, 2009

6:00 P.M.

Town Offices

Members present: Selectwoman Elizabeth Coughlin, Selectman Robert Jackson, Selectman Rich Lemoine, Selectwoman Karyn Puleo.

Member Absent: Selectwoman Ashley O'Neill

Staff Present: Town Administrator Rosemary Cashman, and
Admin Assistant Therese Gay

Selectwoman Puleo called the meeting to order. The Board was introduced. The agenda was read.

Selectwoman Coughlin and Selectman Jackson thanked their many supporters.

Selectwoman Puleo announced that the Board will re-organize on Monday June 1st.

1. 6:00 P.M. Warrant Articles Review

A. The Sewer Commissioners, Rick Reault, Gerry Foley and Jeff Hannaford were in attendance as was Kerri Colburn-Dion, Admin. Assistant and Allen Cursadean, Superintendent. They came forward to speak on the Sewer Department articles explaining the need for these articles. The Sewer Dept. is working to supply sewer to the center of town and to the Sunset Park area. The Superintendent gave a quick overview of the CWMP/DEIR Report. Selectwoman Coughlin has offered her assistance to the Commissioners. The Commissioners and the Selectmen discussed the budget. The Board voted on a motion by Selectwoman Puleo, second by Selectman Lemoine to not recommend Article 6 because of the increase in Salaries.

The Board thanked the Commissioners for coming in to discuss their warrant articles and budget.

B. Review other warrant articles

The Board reviewed the Annual Town Meeting and the Special Town Meeting and made their recommendations.

Article 2. To see if the Town will vote to accept the reports of the Town

Officers and Committees as printed, or take any other action relative thereto.
and

Article 3. To choose all officers not named in Article 1 of the Annual Town Election Warrant, or take any other action relative thereto. These articles are annual house keeping articles.

Article 4. To see if the Town will vote to fix the salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, for the Fiscal Year 2010 (July 1, 2009 - June 30, 2010), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations.

	SALARIES	REQUEST
	7/01/08	7/01/09
	6/30/09	6/30/10
<u>Elective Town Officers</u>		
Moderator	\$ 0	\$ 0
Selectmen Members (5)	\$ 0	\$ 0
Tax Collector	\$56,020	\$56,020
Town Clerk	\$52,094	\$52,094
Assessors (3)		
Chairman	\$ 1	\$ 1
Member (1)	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0
Board of Health		
Chairman	\$ 0	\$ 0
Members (4)	\$ 0	\$ 0
Tree Warden	\$ 0	\$ 0
Cemetery Commissioners (3)	\$ 0	\$ 0
School Committee (7)	\$ 0	\$ 0
Library Trustees (6)	\$ 0	\$ 0
Sewer Commissioners (3)		
Chairman	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0
Planning Board (5)		
Chairman	\$ 0	\$ 0
Members (4)	\$ 0	\$ 0
Finance Committee (5)	\$ 0	\$ 0
Constables (2)	\$ 0	\$ 0
Greater Lowell Technical High School (1)	\$ 0	\$ 0

The Board voted 4-0-0 on a motion by Selectwoman Puleo and second by Selectman Lemoine to recommend Article 4 with the approval of the level funded salaries for the Town Clerk and the Tax Collector and the Assessor's \$1.00 stipend.

Article 5 was previously discussed and voted on by the Board.

Article 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Enterprise for fiscal year 2010 as follows:

That the following sums be appropriated:

Salaries	\$ 169,896
Expenses	\$ 609,979
Capital outlay	\$ 211,500
Debt	\$ 56,000
Budgeted Surplus	\$ 337
Total	\$1,047,712

And that \$1,047,712 be raised as follows:

Department receipts	\$ 989,667
Capital Reserve Account	\$ 58,045
Total	\$1,047,712

Or take any other action relative thereto.

Submitted by the Sewer Commissioners

The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectman Lemoine to not recommend Article 6.

Article 7. To see if the Town will vote to appropriate \$177,654 from the Capital Asset Stabilization Fund and \$5,346 from the Highway Machinery Fund Reserve for the following purposes, or take any other action relative thereto.

<u>Department</u>	<u>Item</u>	<u>Amount</u>	<u>To be Expended by</u>
1. Fire	Update of design/cost of a new station	\$ 15,000	Board of Fire Engineers
2. Fire	Replacement of pick-up truck	\$ 30,000	Board of Fire Engineers
3. Highway	Replacement of truck	\$ 50,000	Board of Selectmen
4. School	Upgrades to technology system	\$ 43,000	School Committee
5. School	Paving projects	\$ 45,000	School Committee
Total		\$183,000	

Submitted by: Board of Selectmen and Capital Asset Management Committee

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to recommend Article 7.

Article 8. To see if the Town will vote to certify the Chapter 90 apportionment for Fiscal Year 2010 of \$269,274 as an available fund to be expended by the Board of Selectmen, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to recommend Article 8.

Article 9. To see if the Town will vote to authorize pursuant to the authority granted under Massachusetts General Laws Chapter 44, Section 53E½ the following revolving funds for the purpose of receiving fees and making disbursements in connection with the duties of the following town entities or as so specified below, and that any surplus revenue accumulated in FY 2009 and FY 2010 shall remain in the revolving accounts for each of the following town entities.

<u>Fund</u>	<u>Programs & Purposes</u>	<u>Departmental Receipts</u>	<u>Authorization</u>	<u>Maximum Annual Expenditure</u>
Fire Department	Fire programs and materials	Hazmat fees	Board of Fire Engineers or designee	\$20,000.00
Recreation Committee	Recreational programs and activities	Fees collected from participants	Board of Selectmen or designee	\$120,000.00
School Field Use Committee	Field maintenance	Field use fees	School Field Use Committee or designee	\$10,000.00
Recycling Committee	Recycling programs and materials	Fees collected from participants	Board of Health or designee	\$ 7,000.00
Board of Health	Collection and disposal of bulky items and appliances	Fees collected from participants	Board of Health or designee	\$30,000.00
Board of Health	Reimbursement program for Medicare Plan members	Medicare reimbursements	Board of Health or designee	\$ 6,000.00

Conservation Commission	Conservation Commission activities	Fees from local Wetland Protection By-law	Conservation Commission or designee	\$ 5,000.00
Sealer of Weights and Measures	Inspection activities	Fees collected from participants	Sealer of Weights and Measures or designee	\$ 3,000.00

Or take any other action relative thereto.

Submitted by: Town Entities as shown

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to recommend Article 9.

Article 10. To see if the Town will vote to charge for each written demand issued by the Collector a fee of \$15 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective as of July 1, 2009, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board of Selectmen voted 3 in favor, 1 opposed, 1 absent on a motion by Selectwoman Puleo, second by Selectman Jackson to recommend article 10. Selectwoman Coughlin voting no, Selectwoman O'Neill, absent and Selectwoman Puleo, Selectman Lemoine and Selectman Jackson voted yes.

Article 11. To see if the Town will vote that the following sums be appropriated or reserved from estimated annual revenues for the Community Preservation Fund for fiscal year 2010, with each item to be considered a separate appropriation, for the payment of administrative expenses of the Community Preservation Committee, debt service, community preservation projects, and all other necessary and proper expenses.

Appropriations

Administrative Expenses	\$ 32,000
Debt Service (Long Pond)	\$ 58,944
Lake Mascuppic Weed Control Program	\$ 6,500
	\$ 97,444

Reserves

To Reserve for Historic Preservation	\$ 65,000
To Reserve for Affordable Housing	\$ 65,000
To Reserve for Open Space	\$ 65,000
FY10 Budgeted Reserve	\$ 357,556
	\$ 552,556
Total	\$ 650,000

Or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Board voted 4-0-0 on a motion by Selectman Lemoine, second by Selectman Jackson to make a recommendation on Article 11 on Town Meeting floor.

Articles 12, 13, 14, and 15. Sewer Articles

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to make a recommendation on Articles 12, 13, 14, and 15, on Town Meeting floor.

Article 16. Stabilization Fund – Supplement.

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to remove Article 16 from the warrant.

Article 17. Capital Asset Stabilization Fund – Supplement.

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to remove Article 17 from the warrant.

Article 18. Use of Free Cash or other funds.

The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectman Lemoine to make a recommendation on Town Meeting floor.

Article 19. Transfer Funds from the Stabilization Fund to be used to stabilize the tax rate.

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Jackson to remove the article from the warrant.

Article 20. The transfer of fund from the Capital Asset Stabilization Fund to be used to stabilize the tax rate for fiscal year 2010.

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectwoman Coughlin to recommend the sum of \$110,000 to be used to stabilize the tax rate for fiscal year 2010.

Article 21. To see if the Town will vote to adopt Chapter 137 of the Acts of 2003, as amended. An employee eligible under this section shall be paid his/her regular base salary as a public employee for each pay period of military leave of absence after September 11, 2001, reduced by any amount received from the United States as base pay for military service performed during the same period. For purposes of this section, base pay shall not include any allowances, overtime pay, shift differential, hazardous duty pay, or any other additional compensation received for military service; or take any other action relative thereto.

Submitted by: Veterans' Office

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Jackson to recommend this article.

Article 22. Citizen's petition to amend the Tyngsborough Town By-law Article XVII, Regulation of Dogs.

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to take no action on this article.

Article 23. Citizen's petition to authorize the Board of Selectmen to petition the General Court of Massachusetts to enact a home rule petition for an additional liquor license.

The Board vote 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to take no action on this article.

Article 24. Citizen's petition to mandate the Selectmen to rescind the fee approved by the Selectmen a "Solid Waste Fee".

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to make a recommend to remove this article on Town Meeting Floor. The Board of Selectmen voted to rescind this fee at the Selectmen's meeting on May 4th.

Special Town Meeting Warrants.

Article 1. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government accounts for fiscal year 2009, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Lemoine to make a recommendation on Town Meeting floor.

Article 2. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement the Reserve Fund for FY09, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Jackson to make a recommendation on Town Meeting floor.

Article 3. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to be used as another financing source in the general fund for fiscal year 2009, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectwoman Coughlin to make a recommendation on Town Meeting floor.

Article 4. To see if the Town will vote to rescind the following borrowing authorizations:

1. \$25,000 of the \$400,000 authorized under Article 12 of the Annual Town Meeting of May 20, 2008 for a fire truck.
2. \$11,000 of the \$117,000 authorized under Article 7 of the Annual Town Meeting of May 16, 2006 for a highway dump truck.

Or take any other action relative thereto.

Submitted by: Board of Selectmen

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectwoman Coughlin to recommend this article.

Article 5. To see if the Town will vote to appropriate by transfer a sum of money from the Sewer Enterprise Fund Retained Earnings Reserve Account to the Sewer Enterprise Fund Expense Account for fiscal year 2009, to be expended by the Sewer Commissioners, or take any other action relative thereto.

Submitted by: Sewer Commissioners

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectwoman Coughlin to make a recommendation on Town Meeting floor.

Article 6. To see if the Town will vote to amend Article 12 of the Special Town Meeting of February 10, 2009 regarding the Shur Fine Market building in the Town Center by expanding the purpose of the article from the demolition of a portion of the building to the demolition of the entire building, and further that an additional sum of money be appropriated for said

demolition from existing Community Preservation Budgeted Reserve, Open Space Reserve, Historic Preservation Reserve, Affordable Housing Reserve, Unreserved Fund Balance, and/or borrow a sum of money, including the payment of any and all costs incidental and related thereto, to be expended by the Board of Selectmen, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Board voted 4-0-0 on a motion by Selectwoman Puleo, second by Selectman Jackson to make a recommendation on Town Meeting floor.

The Board voted 4-0-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to post the Annual Town Meeting and Special Town Meeting Warrant as discussed.

Selectwoman Coughlin urged all town residents to attend the Town Meeting and vote on the articles. Selectwoman Puleo announced the Memorial Day Parade on May 25th at 11 AM.

2. Adjournment

The Board voted 4-0-0 to adjourn the meeting. The meeting adjourned at 8:15 P.M.

Respectfully Submitted,

Therese Gay
Admin Assistant

Approved on _____